

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KAREEM GLASS, Petitioner, v. JAY LANE¹ et al., Respondents.	: : : : : : : :	CIVIL ACTION No. 16-154
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O R D E R

AND NOW, this 21st day of September, 2017, having considered the Petitioner's Petition for Writ of *Habeas Corpus* (Docket No. 1), Respondents' Opposition (Docket No. 17), Petitioner's Brief in Support (Docket No. 18), U.S. Magistrate Judge Elizabeth T. Hey's Report & Recommendations (Docket No. 21), Petitioner's Motions for Extension (Docket Nos. 23, 24), and Petitioner's Objections (Docket No. 25), and the state court record, it is hereby **ORDERED** that:

1. Petitioner's Motions for Extension (Docket Nos. 23, 24) are **deemed MOOT**. Petitioner filed his Objections to the Report and Recommendation shortly after filing two motions to extend the deadline to file objections.
2. The Report & Recommendations are **APPROVED** and **ADOPTED**.
3. Petitioner's Objections are **OVERRULED**.²
4. The Petition is **DISMISSED** with prejudice.
5. There is no probable cause to issue a certificate of appealability.³

¹ As Magistrate Judge Hey notes, Trevor Wingard is listed on the docket in this matter as the Respondent, but Mr. Glass is currently housed in State Correctional Institute Fayette, where the current superintendent is Jay Lane.

² Petitioner objects to the Report and Recommendations, raising substantially the same arguments that he has raised in his prior filings in this matter. Magistrate Judge Hey thoroughly addressed Petitioner's arguments and correctly concluded that Mr. Glass's appellate waiver was knowing and voluntary and that, in any event, Mr. Glass was not prejudiced by Mr. McMahon's ineffectiveness. Therefore, for the reasons ably outlined by Magistrate Judge Hey in her Report and Recommendations, the Petition must be denied.

6. The Clerk of Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

³ A certificate of appealability may issue only upon “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). A petitioner must “demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Lambert v. Blackwell*, 387 F.3d 210, 230 (3d Cir. 2004). There is no probable cause to issue a certificate in this action.